

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jeniere K. Evans

Write the full name of each plaintiff.

____ CV ____
(Include case number if one has been assigned)

-against-

The City OF New York
Samaritan Daytop Village

COMPLAINT

Do you want a jury trial?

☐ Yes ☒ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ **Federal Question**

☐ **Diversity of Citizenship**

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

4th Amendment

B. If you checked Diversity of Citizenship**1. Citizenship of the parties**

Of what State is each party a citizen?

The plaintiff, X, is a citizen of the State of
(Plaintiff's name)

X
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

X
If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or
subject of the foreign state of _____.

If the defendant is a corporation:

The defendant, Samarita Day Village is incorporated under the laws of
the State of New York

and has its principal place of business in the State of New York

or is incorporated under the laws of (foreign state) New York

and has its principal place of business in New York.

If more than one defendant is named in the complaint, attach additional pages providing
information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional
pages if needed.

<u>Jeniere</u>	<u>K.</u>	<u>Evans</u>
First Name	Middle Initial	Last Name
<u>690 E 182nd St. Apt. 3H</u>		
Street Address		
<u>Bronx</u>	<u>Ny</u>	<u>10457</u>
County, City	State	Zip Code
<u>(718) 600-4338</u>	<u>evansjeniere3@gmail</u>	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:	<u>The City Of New York</u> <div style="display: flex; justify-content: space-between;"> First Name Last Name </div>		
	<hr/> Current Job Title (or other identifying information)		
	<hr/> Current Work Address (or other address where defendant may be served)		
	<hr/> County, City	<hr/> State	<hr/> Zip Code
Defendant 2:	<u>Samaritan Daytop Village</u> <div style="display: flex; justify-content: space-between;"> First Name Last Name </div>		
	<hr/> Current Job Title (or other identifying information)		
	<u>247 49th Street</u> Current Work Address (or other address where defendant may be served)		
	<u>Brooklyn</u> <hr/> County, City	<u>NY</u> <hr/> State	<hr/> Zip Code
Defendant 3:	NYPD (68th Precinct) <div style="display: flex; justify-content: space-between;"> First Name Last Name </div>		
	<hr/> Current Job Title (or other identifying information)		
	<hr/> Current Work Address (or other address where defendant may be served)		
	<u>Brooklyn</u> <hr/> County, City	<u>NY</u> <hr/> State	<hr/> Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: _____

Date(s) of occurrence: _____

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

United States District Court Of The
Southern District Of New York

Jeniere K. Evans

-against-

The City Of New York

Samaritan Daytop Village

Statement
~~COMPLAINT~~

~~COMPLAINT~~

Comes now, through the action of the plaintiff, and files this complaint against defendants, for cause would show as follows:

1. Plaintiff is an adult resident of: 690 East 182nd street Apt. 3h
Bronx, NY, 10457
2. Defendants will be served through the process of this court.
3. On, or about the day of **July, 2021**, the defendants filed a claim with **68th PRECINT**, claiming that the plaintiff Assaulted a resident, in the facility, where the plaintiff lived at the time, **Samaritan Daytop Village, 247 49th street, Brooklyn, Ny, Ny west 182nd**, as a result of the defendants actions, plaintiff was arrested, and imprisoned. The information in the affidavits, and complaints were not true, and as a result of lack of evidence, the case was dismissed.
4. The actions of the Defendants were wrongful, malicious, and designed to embarrass, and damage plaintiff. Plaintiff suffered mental, and emotional anguish as a result of the defendants wrongful actions. Plaintiff believes the staff, and cops misrepresented the facts, to make the arrest, (see Body

cam footage of arrest), also the plaintiff was wrongfully imprisoned, as a result of the defendants deliberate, and malicious conduct.

5. Plaintiff has suffered harm to his reputation, humiliation, embarrassment, mental anguish, and distress by being arrested by the 68th precinct, on the false charges brought by the defendants.
6. Plaintiff will show that the actions of the defendants herein, reflect a malicious, intentional, willful, and reckless disregard of the plaintiffs rights, under the **§1983 Act**, and his **4th amendment** rights under the **U.S. Constitution** herein, and warrant an award of punitive damages to the plaintiff.

SUING For:

False Arrest
False Imprisonment
Harassment
Emotional Distress

Amount Of Civilsuit:

\$200,000

Sworn To Me Before This 21
Day Of Oct, 2021

Andrew G. Varela

ANDREW G. VARELA
Notary Public, State of New York
Qualified in Kings County
Reg. No. 24-4524268
My Commission Expires Sept. 30, 2022

Jeniere K. Evans

Print Name

J. Evans

Signature

evansjeniere3@gmail

Email

(718) 600-4338

Phone Number

United States District Court of The
Southern District of New York

In The Matter of The Claim of

Jeniere K. Evans

-against-

The City of New York

~~New York City Police Department (68th precinct)~~

Samaritan Daytop Village

~~Roberto Lopez~~

J.E.

Notice Of Claim

PLEASE TAKE NOTICE that the claimant herein hereby makes claim and demands judgement against you as follows:

1. Pro se Litigant:

Name: Jeniere K. Evans

Gmail: evansjeniere3@gmail.com

Phone: Number: (718) 600-4338

Address: 690 East 182nd street Apt. # 3H

Bronx, NY, 10457

2. Nature Of The Claim:

A false allegation was made by the defendants, which was dismissed, due to lack of evidence, the allegation derived from a exaggerated complaint, and falsified statements, to make an arrest from the police, the victim, and staff, during the case I was falsely arrested, imprisoned, and my 4th Amendment rights under The U.S. Constitution was violated.

Dated: Oct. 21, 2021

Jeniere K. Evans

Print Name

J. K. Evans

Signature

I Jeniere K. Evans, am the claimant in the above-entitled action, I have read the foregoing, and know the contents thereof. The contents are true to my own knowledge, except as to matters therein stated to be alleged upon information and belief, as to those matters I believe them to be true.

Sworn to before me on this 21

Day of Oct, 2021

Notary Public

ANDREW G. VARELA
Notary Public, State of New York
Qualified in Kings County
Reg. No. 24-4524268
My Commission Expires Sept. 30, 2022

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

10/21/2021
 Dated
Jeniere K
 First Name Middle Initial
690 E 182nd St Apt 3H
 Street Address
Bronx NY 10457
 County, City State Zip Code
(718) 600-4338 evansjeniere3@gmail
 Telephone Number Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:
☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.